

**REMARKS**

Claims 2-13 are pending. By this Amendment, the specification and claims 2, 5, 7, 9, 10, 12 and 13 are amended. Reconsideration in view of the above amendments and following remarks is respectfully requested.

Applicants appreciate the Examiner's indication that claims 5-7, 11 and 13 would be allowable if rewritten to overcome the rejections under §112 and to include all of the limitations of the base claim and any intervening claims.

**I. THE SPECIFICATION**

The Office Action objects to the specification on the grounds that it refers to specific claims at pages 1 and 10. The specification has been amended to remove such references. Thus, withdrawal of the objection to the specification is respectfully requested.

**II. THE CLAIMS MEET THE REQUIREMENT OF 35 U.S.C. §112**

The Office Action rejects claims 5-7 and 13 under 35 U.S.C. §112, first paragraph, and claims 2-13 under 35 U.S.C. §112, second paragraph. It is respectfully submitted that the amendments to claims 2-13 obviate these rejections. Thus, withdrawal of the claim rejections under 35 U.S.C. §112 is respectfully requested.

**III. CLAIMS 2-4 AND 8-12 DEFINE PATENTABLE SUBJECT MATTER PURSUANT TO 35 U.S.C §102**

The Office Actions rejects claims 2-4 and 8-10 and 12 under 35 U.S.C. 102 as unpatentable over U.S. Patent No. 5,979,212 to VanderZee (hereinafter "VanderZee"). The rejection is respectfully traversed.

VanderZee discloses a system for rotation of cross bars in a multiple station transfer press. However, in contrast to the claimed invention, VanderZee does not show an independent

apparatus for each forming stage (8,9) as illustrated in the Applicants' invention. The independent transporting apparatus 2 of the forming station 8 (See Fig. 1) has no connection to the independent transporting apparatus 2 of the forming station of 9. Thus, as recited in claim 1, the invention provides for a separately driven transfer of each die stage such that work pieces can undergo an optimum change in position adapted to each instance. Thus, as described at page 4, line 4, several axes of movement are described. In contrast, VanderZee only shows a two-axes transfer with transfer rails 38, 40 being positioned through the whole apparatus and connecting all the forming stations (See Fig. 1 of VanderZee). Further, in VanderZee, all of the cross-members 130 are connected only to two transfer rails 38, 40 and not to an independent transporting apparatus for each forming station.

In addition, claim 2 recites a pivot drive, a pivot arm operatively connected to the pivot drive and a disengageable cross-member pivotably mounted to the pivot arm. VanderZee does not appear to disclose this configuration.

Thus, it is respectfully submitted that VanderZee fails to disclose the features of claim 2 as described above. Therefore, withdrawal of the rejection of claim 2 under 35 U.S.C. §102 is respectfully requested. Further, it is respectfully submitted that defendant claims 3, 4, 8-10 and 12 are likewise distinguishable over the applied art for at least the reasons described above in connection with claim 2. Therefore withdrawal of the rejection of claims 2-4, 8-10 and 12 under 35 U.S.C. §102 is respectfully requested.

#### **IV. Conclusion**

In view of the foregoing, Applicants respectfully submit that this application is now in condition for allowance. Favorable reconsideration and prompt allowance are earnest solicited. Should the Examiner believe that anything further is necessary to expedite prosecution of this

application, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Respectfully submitted,

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